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REMARKS/ARGUMENTS

Claims 1-25 are pending in this application, and claims 1-25 have been rejected. For at least the reasons stated below, Applicants assert that all claims are in condition for allowance.

CLAIM REJECTIONS UNDER 35 U.S.C. § 103

Claims 1-25 have been rejected under 35 U.S.C. § 103(a) as being unpatentable over Wolfberg et al. (U.S. Patent No. 5,214,579) in view of Sullivan et al. (U.S. Patent No. 6,615,240) and Farry et al. (U.S. Patent No. 6,069,628). The cited references, each alone or in combination, do not teach or suggest all the limitations of the claims as required by MPEP § 2143. Therefore, Applicants respectfully request that Examiner withdraw the § 103 rejection.

The present invention generally provides for a graphical user interface in a financial modeling system with both live advice and automated coaching, including:

- providing a plurality of icons for selecting at least one of a plurality of methods for communicating with a live advisor over the Internet;
- providing a first window for displaying an image of said live advisor; and
- providing a second window for displaying context sensitive automated coaching.

Wolfberg, Sullivan, and Farry, each alone or in combination, do not teach or suggest every element of every claim. For at least these reasons, Applicants respectfully request that Examiner's § 103 rejections be withdrawn.

(a) The References Fail to Teach or Suggest Displaying an Image of a Live Advisor As Claimed

The present claimed invention recites, *inter alia*, "providing a first window for displaying an image of said live advisor." *Wolfberg, Sullivan, and Farry* fail to teach or suggest this limitation. Further, nowhere in the rejection of independent claims 1, 9, and 18 does Examiner indicate where the cited references allegedly teach or suggest displaying an image of a live advisor.

In stark contrast to the claimed invention is the only reference that even discloses dispensing advice, live or otherwise, namely *Sullivan*. However, *Sullivan* only describes live "advice" in a limited context: "If necessary, the user also may be placed in contact (e.g., via a voice connection over the telephone, through an on-line Web connection, or the like) with a given technical support engineer." Col. 6, lines 9-12. It is quite clear from a reading of *Sullivan* that the reference only envisioned a live voice or audio connection. This disclosure is quite distinct from the claimed image of a live advisor insofar as the two require different technologies, formats, and bandwidths are implemented in dissimilar contexts.

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Accordingly, in light of the forgoing arguments, the teachings of *Wolfberg*, *Sullivan*, and *Farry* fail to teach or suggest every element of claims 1-25, and Applicants respectfully request that Examiner's § 103 rejections be withdrawn.

(b) The References Fail to Teach or Suggest The Plurality of Methods of Communication As Claimed

Claims 2, 11, and 19 further recite "the plurality of methods for communication include...email, electronic chat, live streaming audio, voice over the network, telephone, still picture, streaming live video and a collaborative interactive page." *Wolfberg*, *Sullivan*, and *Farry* fail to teach or suggest these limitations.

Examiner first notes that the *Sullivan* reference discloses the Internet, and then Examiner asserts:

...[I]t is well known that the Internet network is a plurality of methods for communication that includes email, electronic chat, live streaming, audio, voice over the network, telephone, still picture, and streaming live video. Therefore, it would have been obvious to one having ordinary skill in the art at the time the *Wolfberg* invention to use this step. One would have been motivated to use this step in order to increase the possibilities of communication for the user.

Applicants respectfully disagree with this reasoning and traverse the same because (1) Examiner has not provided adequate evidentiary support to establish that implementing the claimed methods for communication in a financial modeling system would be obvious to one skilled in the art, and (2) even assuming *arguendo* that such support existed, there is no evidence that such support existed "at the time the invention was made."

As noted above, Examiner asserts that the claimed methods for communication would have been obvious. However, Examiner has not provided evidentiary support thereof and Applicants respectfully traverse in accordance with MPEP § 2144.03 (C). Specifically, merely implementing the claimed methods of communication on the Internet in general is distinct from implementing them for use in a financial modeling system, and the latter would not have been obvious because providing such multimedia communications was not in demand or practiced for financial modeling system interfaces. Accordingly, Applicants respectfully request documentary evidence in support of Examiner's position.

Further, even assuming *arguendo* that such evidentiary support exists, the rejection has not satisfied 35 U.S.C. § 103(a), which requires that the entire subject matter of the claimed invention be obvious "at the time the invention was made." Specifically, Applicants assert that it was not obvious

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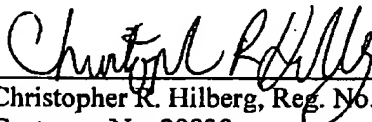
at time of filing that communications through the various claimed means for a financial modeling system would "increase the possibilities of communication for the user," as asserted by Examiner. The requirement "at the time the invention was made" is present to avoid impermissible hindsight. See MPEP § 2141.01. Not only was there insufficient bandwidth across the Internet to make the claimed forms of communication obvious, but the discrepancies among communications formats and standards were insufficiently established to make them obvious.

Accordingly, in light of these additional arguments, the teachings of *Wolfberg*, *Sullivan*, and *Farry* fail to teach or suggest every element of claims 2, 11, and 19, and Applicants respectfully request that Examiner's § 103 rejections be withdrawn.

CONCLUSION

Applicants submit that all pending claims are allowable and respectfully request that a Notice of Allowance be issued in this case. In the event a telephone conversation would expedite the prosecution of this application, the Examiner may reach the undersigned at (612) 607-7386. If any fees are due in connection with the filing of this paper, then the Commissioner is authorized to charge such fees including fees for any extension of time, to Deposit Account No. 50-1901 (Reference 60021-375901).

Respectfully submitted,

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